

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ARLINGTON, VIRGINIA

IN THE MATTER OF:	)	
	)	
Abdurahman M. Alamoudi	)	IN REMOVAL PROCEEDINGS
	)	A 93 002 691
RESPONDENT	)	
	)	

**JOINT MOTION FOR STIPULATED ORDER OF REMOVAL**

1. This joint motion is made within the context of a plea agreement entered into among United States Immigration and Customs Enforcement (“the Government), the Respondent, and the United States Attorney’s Office for the Eastern District of Virginia, which was filed in the United States District Court for the Eastern District of Virginia, Alexandria Division, in criminal case no. 03-513-A, on July 30, 2004. The Respondent and the Government hereby move this Immigration Court to order the Respondent removed to the Republic of Yemen, with Eritrea in the alternative;
2. The Respondent acknowledges that he has received a copy of the Notice to Appear, issued on July 30, 2004 (attached as exhibit 1) and has confirmed that his full and correct name is as indicated therein;
3. The Respondent admits that all of the factual allegations contained in the Notice To Appear are true and correct as written and concedes that he should be ordered removed from the United States based on the charge of two convictions for crimes involving moral turpitude;
4. The Respondent admits that he is not a citizen of the United States, and that he is a native of Eritrea and a citizen of the Republic of Yemen;
5. The Respondent acknowledges that he has been advised of his right to be represented by a lawyer or other qualified person to represent aliens in immigration proceedings at no expense to the Government of the United States;
6. The Respondent acknowledges that he is at least 18 years of age;
7. The Respondent is represented in this matter by James P. McLoughlin, Stanley Cohen, and Alton L. Gwaltney, III;

8. The Respondent acknowledges that he has conferred with his counsel and that he fully understands the terms of: (a) the plea agreement he has entered into in the criminal proceeding United States v. Abdurahman Muhammad Alamoudi, Criminal No. 03-513-A, United States District Court for the Eastern District of Virginia (Alexandria Division); and (b) this Joint Motion for Stipulated Order of Removal (“Joint Motion”), and the consequences of these documents for his immigration status in the United States, including his eligibility to apply for relief and protection against removal from the United States;
9. The Respondent understands his right to a removal hearing before an Immigration Judge;
10. The Respondent understands that his conviction in the United States District Court for the Eastern District of Virginia for procuring naturalization by fraud under Title 18, United States Code, Section 1425(a) is a crime involving moral turpitude that raises a ground of inadmissibility within the meaning of Title 8, United States Code, Section 1182(a)(2)(A)(i)(I). The Respondent understands that this conviction, in combination with the resulting denaturalization of him by the District Court and the likely termination of his lawful permanent resident status by this Immigration Court, makes him ineligible for a visa or admission to the United States;
11. The Respondent understands that his conviction in the United States District Court for the Eastern District of Virginia for corruptly endeavoring to impede the due administration of the internal revenue laws under Title 26, United States Code, Section 7212(a) is also a crime involving moral turpitude under Title 8, United States Code, Section 1182(a)(2)(A)(i)(I). The Respondent understands that his conviction on both offenses raises a ground of removability within the meaning of Title 8, United States Code, Section 1227(a)(2)(A)(ii), and makes him subject to removal from the United States;
12. Pursuant to Title 8, United States Code, Section 1231(b)(2)(A), the Respondent understands that he may designate one country to which he wants to be ordered removed, and he hereby designates the Republic of Yemen;
13. The Respondent and the Government hereby request that this Immigration Court order the Respondent removed from the United States to the Republic of Yemen, with Eritrea in the alternative, based solely on this Joint Motion;

14. The Respondent and the Government consent to the introduction of this Joint Motion as an exhibit to the record of proceedings in this removal proceeding;
15. The Respondent knowingly, voluntarily and intelligently waives: (a) the right to notice of the charges against him; (b) the right to a hearing before an Immigration Judge, or any other authority under the Immigration and Nationality Act (as amended), on the question of his removability from the United States; (c) the right to examine the evidence against him, to present evidence on his own behalf, and to cross-examine witnesses presented by the government; and (d) the right to appeal, reopen, reconsider, collaterally attack, or otherwise challenge in any way and in any venue, whether administrative or judicial, the resulting removal order;
16. The Respondent knowingly, voluntarily and intelligently waives the right to all forms of relief from removal under the Immigration and Nationality Act (as amended) and related federal regulations, including, but not limited to, the right to apply for asylum, withholding of removal, cancellation of removal, adjustment of status, voluntary departure and any waivers of removability;
17. The Respondent knowingly, voluntarily and intelligently waives the right to bring a claim for ineffective assistance of counsel in this proceeding;
18. The Respondent understands that as a consequence of his signing this Joint Motion, this Immigration Court likely will terminate his lawful permanent resident status in the United States and all rights derived from that status;
19. The Respondent agrees to accept an order of removal entered by this Immigration Court, knowing that it could result in his removal from the United States upon completion of any period of incarceration imposed in the criminal proceeding *United States v. Abdurahman Muhammad Alamoudi*, Criminal No. 03-513-A, United States District Court for the Eastern District of Virginia;
20. The Respondent and the Government understand that this Immigration Court has the sole discretion to rule on this Joint Motion;
21. The Respondent acknowledges that he, or his attorney, has read (or has read to him in a language that he understands), the entire Joint Motion. The Respondent acknowledges that he understands its consequences. The Respondent unequivocally states that he submits this Joint Motion voluntarily, knowingly and intelligently;
22. The Respondent certifies that all of the information he has given in this Stipulated Request is true and correct;

23. The Government acknowledges that the Respondent's representations in this Joint Motion are consistent with information available to the Government;
24. The Government waives a personal hearing in this matter; and
25. The Government waives its right to appeal the issuance of a removal order in this matter.

WHEREFORE, the Respondent and the Government respectfully ask that a removal order be issued without further proceedings.

Date:

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Signature of Respondent

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Printed name of Respondent

I certify with my signature that I have filed a notice of appearance as alien representative in accordance with Title 8, Code of Federal Regulations, Section 1003.16(b).

Date:

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Signature of Attorney for Respondent

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Printed name of Attorney for Respondent

Date:

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Signature of Attorney for the Government

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Printed name of Attorney for the Government

### **ORDER OF THE IMMIGRATION JUDGE**

Upon due consideration of the Parties' Joint Motion in the above-entitled matter,  
it is HEREBY ORDERED that the Respondent be removed from the United States to the  
Republic of Yemen, with Eritrea in the alternative, on the charge contained in the Notice  
to Appear.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Immigration Judge

\_\_\_\_\_  
Printed name of Immigration Judge